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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 MAY -6 AM '08 MJ 1423

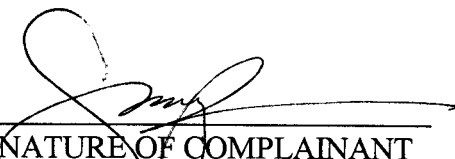
UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
Carmen Guadalupe OLIVA-Villalobos)
AKA: Sandra GONZALEZ-Bolivar)
)
Defendant.)
)
_____)

Magistrate Case No. _____
BY: 9
COMPLAINT FOR VIOLATION OF
Title 8, U.S.C., Section 1326
Attempted Entry After
Deportation

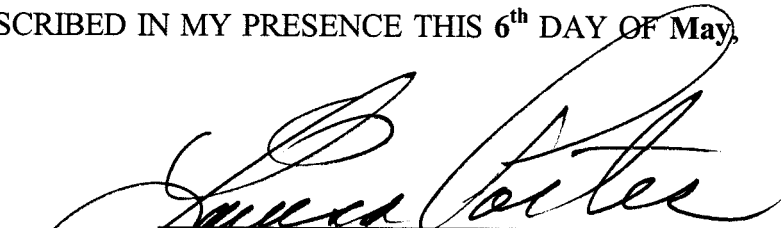
The undersigned complainant being duly sworn states:

On or about **May 5, 2008**, within the Southern District of California, defendant **Carmen Guadalupe OLIVA-Villalobos AKA: Sandra GONZALEZ-Bolivar**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the **Otay Mesa Port of Entry**, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS **6th** DAY OF **May**,
2008.


UNITED STATES MAGISTRATE JUDGE

suf

Probable Cause Statement

On May 5, 2008 at approximately 4:00 PM, a female individual later identified as **Carmen Guadalupe OLIVA-Villalobos (Defendant)**, attempted to enter the United States from Mexico at the Otay Mesa, California Port of Entry through the pedestrian primary lanes. Defendant presented a DSP-150 Laser Visa Card bearing the name Josefina Chaves Gradilla to a Customs and Border Protection (CBP) Officer. Defendant stated to the primary CBP Officer that she was going to San Ysidro, California. The CBP Officer noticed Defendant was an impostor to the document she had presented and escorted her to secondary for further inspection.

In secondary, Defendant's fingerprints were obtained and queried through the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). IDENT/IAFIS returned a match to the query, identifying Defendant as a citizen of Mexico and a previously deported/removed alien.

Further queries through the Immigration Central Index System (CIS) and the Deportable Alien Control System (DACS) confirmed Defendant to be a citizen of Mexico without legal documents to enter the United States. CIS and DACS system queries reveal Defendant was ordered deported/removed from the United States to Mexico by an Immigration Judge on or about February 3, 2005. Immigration service records indicate no evidence that Defendant has applied for, or received permission from the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security to legally re-enter the United States.

During a videotaped proceeding, Defendant was advised of her Miranda Rights. Defendant acknowledged her rights and elected to answer questions without an attorney present. Defendant admitted she was born in Tegucigalpa, Honduras and is a naturalized citizen of Mexico. Defendant admitted she was an impostor to the DSP-150 Laser Visa card she presented. Defendant further stated she was going to Los Angeles, California to seek employment and reunite with her family. Defendant also admitted she has been previously ordered deported from the United States by an Immigration Judge and has not applied for or received permission to legally re-enter the United States.